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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,829	01/20/2004	Hui Li	PD030018	4457
24498	7590	07/26/2006	EXAMINER	
THOMSON LICENSING INC. PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			LEWIS, ALICIA M	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



**Office Action Summary**

Application No.

10/761,829

Applicant(s)

LI ET AL.

Examiner

Alicia M. Lewis

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**  
PRIMARY EXAMINER

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.



## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on January 20, 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Specification***

3. The disclosure is objected to because of the following informalities: the word conversion is misspelled on pages 3 and 4 of the specification.

Appropriate correction is required.

### ***Claim Objections***

4. Claims 3 and 9 are objected to because of the following informalities: the word "being" should be the word "is". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:



The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 4 recites the limitation "said data" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Depledge et al. (US Patent 5,899,988) ('Depledge').

With respect to claims 1 and 7, Depledge teaches:

providing first metadata including first metadata essence data representing information, which is directly perceptible by a user (column 1 of Figure 1, column 2 lines



26-29), and/or metadata link data (location heading in column 2 of Figure 1) directly or indirectly pointing to further essence data (column 2 of Figure 1);

storing in a memory essence data (element 100 in Figure 1, Figure 4);

converting said first metadata essence data and/or said further essence data being directly or indirectly pointed at by said metadata link data into new essence data (Figure 2A, column 2 lines 37-49); and

storing and providing said new essence data in said memory (Figure 2A, Figure 4).

The customer number column (column 1 of table 100) represents metadata about customers. The actual customer number represents metadata essence data, which is directly perceptible by a user. The customer number is linked to the location of the customer (metadata link data), which is represented by the location heading of column 2 of data table 100 in Figure 1. This metadata link data points to the further essence data, the actual location (north, east, south, west) of the customer. The first metadata essence data (customer numbers) are converted into new essence data, the bitmap representation of 0's and 1's as seen in the bitmap column of Figure 2A. For example, customer numbers 102 and 106 (first metadata essence data) have been converted to bit values of 1 in row 1 of Figure 2A because their location is north.

With respect to claims 2 and 8, Depledge teaches wherein the step of converting includes a step of editing under the control of a graphical user interface (Figure 4, column 5 lines 26-39).



With respect to claims 3 and 9, Depledge teaches wherein said further essence data being included in second metadata as second metadata essence data (column 2 of Figure 1).

The location column of table 100 represents further essence data as explained above in claim 1, and is also included in second metadata (location of customer) as second metadata essence data (the actual location).

With respect to claims 4 and 10, Depledge teaches wherein said step of converting data includes the step of transferring said data to said memory (Figure 4, column 5 lines 9-25).

With respect to claims 5 and 11, Depledge teaches wherein said first and/or second metadata essence data include text, picture, audio and/or video information (Figures 1 and 2A).

With respect to claim 6, Depledge teaches further comprising the step of adding third essence data to said new essence data (Figure 2B, column 2 lines 59-63).

As mentioned previously, the new essence data is the representation of customer numbers in bitmap form. For example, Figure 2A showed this representation with respect to location. Figure 2B shows the bitmap representation with respect to type, thus adding essence data to said new essence data.



10. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Jain et al. (US Patent 6,567,980 B1) ('Jain').

With respect to claims 1 and 7, Jain teaches:

providing first metadata including first metadata essence data representing information, which is directly perceptible by a user, and/or metadata link data directly or indirectly pointing to further essence data (column 15 lines 47-48, 51-55);

storing in a memory essence data (element 140 in Figure 1, column 4 lines 5-9);

converting said first metadata essence data and/or said further essence data being directly or indirectly pointed at by said metadata link data into new essence data (column 15 lines 47-50, 56-57); and

storing and providing said new essence data in said memory (element 140 in Figure 1, column 4 lines 5-9).

With respect to claims 2 and 8, Jain teaches wherein the step of converting includes a step of editing under the control of a graphical user interface (column 4 line 22).

With respect to claims 3 and 9, Jain teaches wherein said further essence data being included in second metadata as second metadata essence data (column 15 lines 47-55).



With respect to claims 4 and 10, Jain teaches wherein said step of converting data includes the step of transferring said data to said memory (Figure 1).

With respect to claims 5 and 11, Jain teaches wherein said first and/or second metadata essence data include text, picture, audio and/or video information (Table 1, column 7 – column 8).

With respect to claim 6, Jain teaches further comprising the step of adding third essence data to said new essence data (column 15 lines 47-57, 66-67).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis  
July 21, 2006



**SAM RIMELL**  
**PRIMARY EXAMINER**